

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 6227

Oskar PAMMER et al.

Date: August 14, 2009

Serial No.: 10/591,564

Group Art Unit: 4162

Filed: September 1, 2006

Examiner: Colin W. Slifka

For: PROCESS FOR PRODUCING A RAW MIXTURE FOR SINTERING

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VIA EFS-WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**STATEMENT OF THE SUBSTANCE OF THE INTERVIEW**

Sir:

In compliance with the requirement in the Interview Summary mailed in the above-captioned application on July 16, 2009 that Applicants file a Statement of the Substance of the Interview, that statement follows.

Applicants' representative conducted a telephonic interview on July 10, 2009 with Supervisory Patent Examiner Mayes and Examiner Slifka on the Response after Final Rejection filed in the above-captioned application on June 30, 2009.

During the interview, Applicants' representative argued that Noda et al., U.S. Patent No. 5,009,707, did not disclose the addition of returned sintered material alone to the primary disk pelletizer. Examiner Slifka responded that he was interpreting Komatsu et al., JP 60052533 A, to teach the addition of the returned sintered material in a mixture with other materials to an inlet side of a mixer. He was also not using Noda et al. to teach the return of some of the returned sintered material alone to the pelletizer, but was, instead, using Noda et al. to teach only that material was returned directly into the pelletizer.

Applicants' representative responded that the rejection was incorrect since claim 1 required the return of at least some of the sintered material alone to the granulation drum, which was not disclosed in either Komatsu et al. or Noda et al. Examiner Mayes responded that claim 1 did not clearly say that at least some of the returned sintered material was added alone within a longitudinal extent of the granulation drum during the granulation process. In his view, the

phrase in claim 1 of “adding at least some of the returned sintered material within a longitudinal extent of a granulation drum during the granulation process” could mean that such returned sintered material was part of the mixture of the “ore with a fines fraction, at least one addition, and returned sintered material from a subsequent sintering process and optionally with a binder” in claim 1. He argued that where claim 1 provided that at least some of the returned sintered material was added within a longitudinal extent of the granulation drum, it implied that all of the returned sintered material could be added alone within the longitudinal extent of the granulation drum. This would contradict the prior part of claim 1 indicating that the returned sintered material was part of a mixture.

The Examiners indicated that they needed additional time to determine whether Applicants’ intended claim was supported by the specification and also to review the prior art to determine whether such intended claim was disclosed. A second interview by telephone was arranged for July 14, 2009.

The second interview by telephone was conducted on July 14, 2009, as arranged.

During the interview, Examiner Slifka indicated that if Applicants claim that all of the sintered material is added to the material traveling from the mixer to the granulation drum, that claim would be anticipated by Komatsu et al.

However, the Examiner indicated that if Applicants clarify claim 1 so that it either claimed that some of the returned sintered material is added to the material traveling from the mixer to the granulation drum and some of it is added to the granulation drum or that all of the sintered material is added to the granulation drum and not to the material moving to the drum, either alternative could possibly be patentable.

The Examiner further indicated that there were some indefiniteness problems with claim 1 that should be corrected. Specifically, he indicated that the relationship of the first part of the claim, claiming mixing ore with a fines fraction, at least one addition, and returned sintered material from a subsequent sintering process and optionally with a binder, to the mixing in the container by means of a mixing tool claimed in the last part of the claim was unclear. It was further discussed that adding the returned sintered material after the ore has been mixed with the addition and optionally with the optional binder, as claimed in claim 1, seemed to be

indefinite regarding whether such returned sintered material was added before or during granulation.

Finally, the Examiner indicated that claim 2 presented some indefiniteness problems. Specifically, if Applicants claimed in claim 1 adding some of the returned sintered material before granulation and adding some of it during granulation, claim 2 would be redundant. On the other hand, if Applicants claimed in claim 1 adding all of the sintered material during granulation, claim 2 would contradict claim 1.

Respectfully submitted,

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